

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

JOSHUA J. MINIX

Plaintiff,

v.

CIVIL ACTION NO. 1:19CV108  
(Judge Keeley)

CENTRAL SOURCE, LLC, ET AL.,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION [DKT. NO. 50]  
DENYING PLAINTIFF'S MOTION TO REMAND [DKT. NO. 32]

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On or about April 9, 2019, pro se plaintiff, Joshua J. Minix ("Minix"), commenced this action by filing a complaint in the Circuit Court of Preston County, West Virginia (Dkt. No. 1, at 9). On May 15, 2019, defendant Progressive Casualty Insurance Company filed a notice of removal pursuant to 28 U.S.C. §§ 1331, 1441, and 1446. The Court then provided Minix with a Notice of General Guidelines for Appearing Pro Se in Federal Court (Dkt. Nos. 1, 2), and referred the action to United States Magistrate Judge Michael J. Aloï for initial screening and a report and recommendation ("R&R") regarding any motions filed in accordance with LR PL P 2 and 28 U.S.C. § 1915(e) (Dkt. No. 16). Minix then filed a motion to remand on July 7, 2019 (Dkt. No. 32).

Magistrate Judge Aloï recommended that the Court deny Minix's motion to remand (Dkt. No. 50), and specifically warned Minix that failing to object to the recommendation would result in the waiver

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of his right to appeal the ruling. Id. at 13. Green did not file any objections to the R&R.<sup>1</sup>

Consequently, finding no clear error, the Court **ADOPTS** the R&R in its entirety (Dkt. No.50) and **DENIES** Minix's motion to remand for the reasons discussed in the R&R (Dkt. No. 32).

It is so **ORDERED**.

The Court **DIRECTS** the Clerk to transmit a copy of this order to the pro se plaintiff by certified mail, return receipt requested, to his last known address and to counsel of record by electronic means.

Dated: September 9, 2019

/s/ Irene M. Keeley  
IRENE M. KEELEY  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> The failure to object to the R&R not only waives the appellate rights in this matter, but also relieves the Court of any obligation to conduct a de novo review of the issues presented. See Thomas v. Arn, 474 U.S. 140, 148-153 (1985); Wells v. Shriners Hosp., 109 F.3d 198, 199-200 (4th Cir. 1997).